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ABSTRACT

Recently, a large number of state and national reports have focused on the issue of excellence in education. While none of these reports spotlights the community college, both those dealing with K-12 education and postsecondary education have implications for two-year colleges, especially as they relate to high school graduation requirements; college admission standards; and remedial, and adult basic education programs. Thus far, the major concern of the legislators has been teacher education, an issue on which several states have taken action. Additional areas more specifically related to community colleges that are likely to be the focus of legislative attention include: (1) financial support for special thrusts like engineering, service, and high technology, and for economic development projects in specialized fields, rather than for decreasing class size and increasing faculty salaries; (2) structural changes in the governance of higher education; (3) the role and mission of the community colleges; and (4) actions to abolish or modify the tenure system. As legislators begin to address these issues, a strong leadership is needed to define and shape the role of the community colleges. (EJV)

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STATUTORY APPROACHES TO EDUCATIONAL EXCELLENCE

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A Speech delivered before the Academy on State Legislation
in Denver, Colorado, on October 3, 1985

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"STATUTORY APPROACHES TO EDUCATIONAL EXCELLENCE"

(A speech delivered before the Academy on State Legislation in Denver, Colorado, on October 3, 1985, by John N. Terrey, Executive Director of the Washington State Board for Community College Education)

State and national reports are the usual harbingers of legislative thrusts for excellence. The high tide for excellence legislation affecting the public schools came in 1985. A Nation at Risk: The Imperative for Educational Reform was the most notable report if not the most significant. As with most of the current reports, it had little to say about community colleges.

The counterpart to A Nation at Risk for higher education is Involvement in Learning: Realizing the Potential of American Higher Education which came out in October, 1984. The primary target was the four-year institution; however, three of the 27 recommendations address community colleges. (The Study Group did commission Arthur M. Cohen of UCLA to do a paper entitled, "The Community College in the American Educational System.") Only one recommendation is addressed to legislators.

In brief, there has not been a report in the current plethora which spotlights the community college. Many of the reports which focus primarily on K-12 or traditional higher education have implications for community colleges. For example, many legislatures addressed high school graduation requirements and college admission standards. These actions had implications for community colleges.

Studies on higher education have not reached high tide as yet. Ernest Boyer and the Carnegie Foundation for the Advancement of Teaching is preparing a report on undergraduate education to be called simply College. The Education Commission of the States under Governor Thomas Kean of New Jersey has created a special commission of 20 members (he calls it a working party) made up of governors, legislators, college presidents, and state level higher education officials. One community college person has been named: Bob McCabe of Miami-Dade. The "working party" is to prepare an interim report by January to spur action in the 1986 legislative sessions. The focus seems to be on undergraduate education and tenure. But other topics are also on the legislative agenda--remedial education, illiteracy, economic development, high technology, governance, and finance.

Legislators are generally careful to avoid invading areas which have traditionally belonged to the campus, especially the faculty. As a consequence, curriculum--especially lower division programs--has attracted much of the ink in the recent reports, but it has not won a place on the legislative action agenda. However, the potential for a clash is present as the ECS recognizes. Academic freedom is deeply entrenched in the academic terrain. The vital link between the legislative halls and the halls of ivy thus far has been teacher education. This is because teacher education is vital to virtually every proposal to improve public education. Several states have taken action on the teacher education front. They may not stop there. Richard R. Bond, a state representative from Colorado and an ECS commissioner, said state governments must increase their activity in higher education because colleges are giving "inadequate attention" to the needs of students and the public. He focuses on the fact that research and publications, not teaching, determine tenure and promotion. Here is the Achilles heel.

With only a modicum of cynicism, one can conclude that legislative bodies are re-active bodies, not pro-active bodies. That implies that public unrest and public concern need to be present to motivate legislative bodies. Thus far, the public, with the exception of teacher education, has not sent a strong message to most legislative bodies about critical areas requiring reform on campus. There are, however, some clear targets which could quickly generate legislative reaction. Principal among these targets are undergraduate teaching and tenure. A subset of the undergraduate teaching issue as it relates to community colleges is the huge utilization of part-time faculty.

Decision-making in higher education is a multi-lateral process. It involves governors, legislatures, trustees, presidents, state boards, faculty, and students. While the governance process is almost sacred on campus, it is not fully recognized nor valued on the capitol campus. The fact that this "shared authority" could frustrate reform might force some legislators to seek more responsive governance structures, meaning more centralized decision-making--usually at the state level. More experienced and cooler legislative heads realize that reform is not what the legislature says but rather what the faculty does. The faculty must deliver quality. Therefore, faculty must be involved in the decision-making process.

Thus far, I have generalized so that I could create an environment conducive to discussing some specific issues.

Finance

Legislatures in many parts of the nation, especially in the industrial East and the Midwest, significantly increased funding for higher education--including community colleges. One of the truisms which is inescapable is that most reforms cost money. It was bitterly ironic that after all its braying about a "rising tide of mediocrity," the Secretary of Education in A Nation at Risk never even mentioned the need to reduce class size. At the higher education level, overcrowded classrooms smother inquiring minds. Unfortunately, it is not the passion for enhanced quality that is propelling budgets upward. It is high technology and economic development. A key legislator in New Jersey says, "The public sees high tech as the wave of the future." In New Jersey, as in many other states, the budget increases went for special thrusts like engineering, service, and technology.

In Ohio, the Regents' Excellence Initiatives stresses economic development. It provided money for community colleges to improve their relations with industry. A legislator explains: "The rubber and steel mills are gone. We're going to have to diversify." Governor Richard Celeste of Ohio sees a direct correlation between higher education and economic development. In a political context higher education has been shifted from the social agenda to the economic agenda. Michigan saw a 9.2 percent increase in funding for community colleges this year over last year. New York, Illinois, Minnesota followed suit. Oregon (except for community colleges), Georgia, Nevada, and California also made significant gains as a wave of enriched funding swept over much of the nation. To some extent, these increases were restoring cuts created by the

recent recession, but in many cases, the increases represented new thrusts in specific areas--engineering, high tech, economic development, job training, and small business.

Salaries, except for efforts to plug the brain drain, have not received much attention despite the fact that college faculty have lost 20 percent of their purchasing power over the last 15 years. As a result, the profession has become less attractive. No college can provide quality without a quality faculty. If more is expected from faculty, more money will need to be put into salaries.

Legislatures are doing two things on the salary front: (1) they are putting funds into specialized fields and (2) they are pushing for merit pay. More subtle but present is the push for faculty evaluation. (Hans Andrews, dean of instruction at Illinois Valley community College, has written a valuable book--Evaluating for Excellence--including sage advice for trustees.)

In my own state, there is a political axiom that states that the Higher Education Committee makes policy in affluent times and that the Ways and Means Committee makes policy in austere times. At the moment--in my own state--the policy is being established through modifications in the budget formula. From a legislative perspective, the beauty of this process is that the policy is not a subject of debate because the debate centers on the spending level, not on the spending process. This is an effective, if abusive, way to establish as policy the enrollment level or the student/faculty ratio.

Governance

As the struggle for resources intensifies and legislatures cannot provide the funding required, the pressure increases to alter the governance structure either directly through structural changes or indirectly through fiscal policy. Several states, including my own, have made structural changes in the governance of higher education. The movement currently is to more centralization. The problem is that virtually everything written on the management front advocates decentralization. Colleges need to grasp the opportunity convince legislators that the campus can be governed and is willing to be held accountable for its performance. Nothing other than political issues provokes a legislative body to action faster than turf wars. Frustration over transfer agreements is a good example. A legislator can fix that with a bill, usually a bad bill. When an issue of this nature gets to the legislature, it is a clear demonstration that the self-governance process has failed.

Conversely, legislative bodies like voluntary cooperation. A 2+2 agreement between a high school and a community college or a transfer agreement is an example of voluntary cooperation which wins plaudits.

Role

As the costs of community colleges and the stress on available revenues mount, the inevitable question of the role and mission of community colleges appears on the legislative agenda. The most recent example is a legislative workshop

held in Eugene, Oregon, last week. The sponsoring organization was the Western Interstate Commission for Higher Education. The topic was "Community Colleges at the Crossroads." Confusion about the role and mission fueled by revenue limits is the force behind the conference. Should community colleges be responsible for remedial education? Should adults who are seeking retraining or updating their training pay a higher fee than those seeking basic preparatory training? Who is responsible for literacy training? Are social programs like Home and Family Life the responsibility of the community college? Why should community colleges be providing educational services for correctional institutions? The flip side of the coin includes additive roles. Should community colleges be responsible for training and counseling for small business? Should community colleges provide the job skills training for new or expanding industries? Again, these questions reflect the fact that community colleges are winning a place of prominence on the economic agenda while losing its place on the social agenda.

Tenure

The careful listener has probably concluded that legislatures are the protagonists and that community colleges are in a defensive posture. This is not entirely accurate. On the subject of tenure, trustees and presidents are urging legislative bodies to take action to abolish or modify the tenure system. Since faculty members are as adamantly opposed to change as trustees and presidents are in favor, the legislators are placed in an adjudicating role. On an intellectual plane, the trustees and presidents have many allies at the capitol; however, on the basis of political reality, the balance

shifts. There are in our state 150 trustees and presidents and 3,000 faculty members. For one whose survival is dependent on votes, those are convincing odds. However, if the general public takes up the issue, it no longer is an intermural conflict. Under these circumstances, the general public outnumbers the faculty. Legislators seek a compromise in lieu of a confrontation. The logical compromise on this issue is a career ladder which does not do away with tenure, but does put evaluation on a periodic basis. For example, promotion and therefore advancement on the salary schedule requires evaluation. It could stimulate real improvement in quality.

Conclusion

By way of conclusion, I would observe that the focus for statutory approaches to educational excellence in legislative halls thus far has centered on the common schools. Activities have been on high school graduation requirements and college admission requirements. Improvement of the quality of teachers has served as a link with higher education. Undergraduate education is the next area to receive attention. To date, no one has put the spotlight directly on the community college; however, high school graduation requirements and college admission standards will have a direct impact on community colleges. Programs within the community college have received some attention, viz., remedial education, Adult Basic Education, and literacy thrusts.

Legislative bodies have been supportive of partnerships among education, industry, and government. As viewed historically, these are three unlikely partners. But, based on observations, this unlikely partnership is working well for community colleges primarily due to their flexibility.

It is not known at this time whether there will be major national studies on community colleges. Ernest Boyer and his Council may put the community college under the microscope in the future.

What is needed to prepare community colleges for legislative review? In one word--leadership.

WICHE for its conference last week selected a good title: "Community Colleges at the Crossroads." The shape of the emerging community college is at issue. It cannot be shaped until leaders put it together. A popular cliche' contends that leaders do the right things while managers do things right. What are the right things? Before the community colleges can confront legislative bodies, this question must be answered. If it is not answered and a vacuum develops, a reactive legislative body will define the role of community colleges.

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